

**CHRISTOPHER R. DRAHOZAL**  
**John M. Rounds Professor of Law**  
**University of Kansas School of Law**

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**Professional Experience**

1994-present	University of Kansas School of Law, Lawrence, KS John M. Rounds Professor (2006-present), Professor (2000-2006), Associate Professor (1995-2000), and Visiting Associate Professor (1994-1995); Associate Dean for Research & Faculty Development (2009-2016)
	London Law Consortium, London, UK (Spring 2001)
Fall 2018 Fall 2015	Mason Ladd Distinguished Visiting Professor of Law University of Iowa College of Law, Iowa City, IA
2007-present	Associate Reporter, Restatement of the U.S. Law of International Commercial and Investor-State Arbitration
2015-present	Member, Board of Directors, & Treasurer, Arbitrator Intelligence, Inc. (non-profit corporation with goal of enhancing transparency, fairness, accountability, and diversity in selection of international arbitrators)
2012-2016	Special Advisor, Consumer Financial Protection Bureau, Office of Research, Markets and Regulation, Washington, D.C. (re arbitration clauses in consumer financial services contracts)
2008-2010	Chair, Consumer Arbitration Task Force, Searle Civil Justice Institute, Northwestern University School of Law
1991-1994	Private practice, Sidley & Austin, Washington, D.C.
1989-1991	Legal Assistant, Judge George H. Aldrich, Iran-United States Claims Tribunal, The Hague, The Netherlands
1988-1989	Law Clerk, Justice Byron R. White, United States Supreme Court, Washington, D.C.

1987-1988	Private practice, Arnold & Porter, Washington, D.C.
1986-1987	Law Clerk, Chief Judge Charles Clark, United States Court of Appeals for the Fifth Circuit, Jackson, MS

## **Courses Taught**

Contracts, Commercial Arbitration, Payment Systems, Trusts & Estates

## **Publications**

### **Books**

PRINCIPLES OF CONTRACT LAW (5<sup>th</sup> ed. West Publishing 2018) (with Steve Burton)

ECONOMIC ANALYSIS FOR LAWYERS (3d ed. Carolina Academic Press 2014) (with Henry Butler & Joanna Shepherd-Bailey); (2d ed. 2006) (with Henry Butler)

COMMERCIAL ARBITRATION: CASES AND PROBLEMS (3d ed. LexisNexis Publishing 2013); (2d ed. 2006); (1st ed. 2002)

DOCUMENTARY SUPPLEMENT TO COMMERCIAL ARBITRATION: CASES AND PROBLEMS (3d ed. LexisNexis Publishing 2013); (2d ed. 2006); (1st ed. 2002)

THE IRAN-UNITED STATES CLAIMS TRIBUNAL AT 25 (Oxford University Press 2007) (co-edited with Chris Gibson)

TOWARDS A SCIENCE OF INTERNATIONAL ARBITRATION: COLLECTED EMPIRICAL RESEARCH (Kluwer Law International 2005) (with Richard Naimark)  
Chinese translation (China University of Political Science & Law Pub., 2007)

THE SUPREMACY CLAUSE (Praeger Publishers 2004)

### **Articles and Book Chapters**

#### ***Forthcoming***

*Parties: Signatories and Non-Signatories* (for CAMBRIDGE COMPENDIUM ON INTERNATIONAL ARBITRATION)

*Empirical Findings on International Arbitration: An Overview* (for OXFORD HANDBOOK OF INTERNATIONAL ARBITRATION)

## **2018**

*The Issue Preclusive Effect of Arbitration Awards*, in *Arbitration and Mediation of Employment and Consumer Disputes: Proceedings of the NYU 69th Annual Conference on Labor* 81 (2018)

## **2017**

*Diversity and Uniformity in International Arbitration Law*, 31 EMORY INT'L L.REV. 393 (2017) (based on Inaugural Hendrix Lecture)

## **2016**

*Innovation in Arbitration Law: The Case of Delaware*, 43 PEPP. L. REV. 493 (2016) (for symposium on "International Arbitration and the Courts")

*The State of Empirical Research on International Commercial Arbitration: Ten Years Later*, in *THE EVOLUTION AND FUTURE OF INTERNATIONAL ARBITRATION: THE NEXT 30 YEARS* 453 (Kluwer Law International 2016)

*Class Arbitration in the United States*, Dossier XIV: Class & Group Actions in Arbitration 23, 35th Annual Meeting of the ICC Institute of World Business Law (2016)

*AAA Consumer Arbitration* (to be published in *BEYOND ELITE LAW: ACCESS TO CIVIL JUSTICE IN AMERICA* 478 (Samuel Estreicher & Joy Radice eds., Cambridge University Press 2016)

*Usages and Implied Terms in the United States*, in *TRADE USAGES AND IMPLIED TERMS IN THE AGE OF ARBITRATION* 103 (Fabien Gélinas ed. Oxford University Press, 2016)

## **2015**

*Confidentiality in Consumer and Employment Arbitration*, 7 YEARBOOK ON ARB. & MEDIATION 28 (2015) (for symposium on "U.S. Arbitration Law in the Wake of *AT&T Mobility v. Concepcion*")

## **2014**

*The Essential Role of Courts for Supporting Innovation*, 92 TEX. L. REV. 2177 (2014) (with Erin O'Hara O'Connor)

*"Sticky" Arbitration Clauses? The Use of Arbitration Clauses After Concepcion and Amex*, 67 VAND. L. REV. 955 (2014) (with Bo Rutledge)

*Unbundling Procedure*, 66 FLA. L. REV. 1945 (2014) (with Erin O'Hara O'Connor)

*Error Correction and the Supreme Court's Arbitration Docket*, 29 OHIO ST. J. ON DISP. RESOL. 1 (2014) (Schwartz Lecture on Dispute Resolution)

*FAA Preemption after Concepcion*, 35 BERKELEY J. EMP. & LAB. L. 153 (2014)

*Disclosure of Franchise Disputes*, 19 STANFORD J. L. BUS. & FIN. 281 (2014)

*Some Observations on the Economics of Comity*, in THE ECONOMIC ANALYSIS OF INTERNATIONAL LAW 147 (Thomas Eger, Stefan Oeter, & Stefan Voigt eds. Mohr Siebeck, 2014)

*The Supreme Court and Class Arbitration: There and Back Again*, in CONTEMPORARY ISSUES IN INTERNATIONAL ARBITRATION AND MEDIATION: THE FORDHAM PAPERS 95 (Arthur Rovine ed. Martinus Nijhoff Publishers, 2014)

*A Response to Hollow Spaces*, 61 BUFF. L. REV. 177 (2014) (with George Bermann, Jack Coe, and Catherine Rogers)

*Commercial Arbitration: Class Claims*, 8 WORLD ARB. & MED. REV. 313 (2014)

## **2013**

*Contract and Choice*, 2013 B.Y.U. L. REV. 1 (with Bo Rutledge)

## **2012**

*Arbitration Clauses in Credit Card Agreements: An Empirical Study*, 9 J. EMPIRICAL LEGAL STUD. 536 (2012) (with Bo Rutledge)

*Arbitration Innumeracy*, 4 YEARBOOK ON ARB. & MEDIATION 89 (2012) (for symposium on "U.S. Arbitration Law in the Wake of *AT&T Mobility v. Concepcion*")

*The New York Convention and the American Federal System*, 2012 J. DISP. RESOL. 101 (for symposium on "Border Skirmishes: The Intersection Between Litigation and International Commercial Arbitration")

*Private Regulation of Consumer Arbitration*, 79 TENN. L. REV. 289 (2012) (with Samantha Zyontz)

*Roundtable on the Future of Arbitration – What Will Change?*, in ARBITRATION —THE NEXT FIFTY YEARS: ICCA 50<sup>TH</sup> ANNIVERSARY CONFERENCE, at 183 (Albert Jan van den Berg ed. 2012) (ICCA Congress Series No. 16) (transcript of panel discussion)

*In Memory of the Honorable Charles Clark*, 30 MISS. COLLEGE L. REV. 389 (2012) (with numerous contributors)

## **2011**

*Why Arbitrate? Substantive Versus Procedural Theories of Private Judging*, 22 AM. REV. INT'L ARB. 163 (2011)

*Contract and Procedure*, 94 MARQUETTE L. REV. 1103 (2011) (with Bo Rutledge)

*Creditor Claims in Arbitration and in Court*, 7 HASTINGS BUS. L.J. 77 (2011) (with Samantha Zyontz) (Searle Civil Justice Institute, Interim Report, Nov. 2009)

## **2010**

*An Empirical Study of AAA Consumer Arbitration*, 25 OHIO ST. J. ON DISP. RESOL. 843 (2010) (with Samantha Zyontz) (Searle Civil Justice Institute, Preliminary Report, Mar. 2009)

*Why Do Businesses Use (and Not Use) Arbitration Clauses?*, 25 OHIO ST. J. ON DISP. RESOL. 433 (2010) (with Steve Ware)

*Contracting Around Hall Street*, 14 LEWIS & CLARK L. REV. 905 (2010) (invited)

## **2009**

*The Future of Manifest Disregard*, 2009 STOCKHOLM INT'L ARB. REV. 1, *updated version published in* INTERNATIONAL ARBITRATION: POST-HEARING ISSUES (Devin Bray & Heather Bray eds., 2013)

*Private Ordering and International Commercial Arbitration*, 113 PENN. ST. L. REV. 1031 (2009), *reprinted in* BUILDING THE CIVILIZATION OF ARBITRATION (Thomas E. Carbonneau & Angelica M. Sinopole eds., 2010)

*Restating the U.S. Law of International Commercial Arbitration* (with George Bermann, Jack Coe, and Catherine Rogers), 113 PENN ST. L. REV. 1333 (2009), *reprinted in* BUILDING THE CIVILIZATION OF ARBITRATION (Thomas E. Carbonneau & Angelica M. Sinopole eds., 2010)

*Business Courts and the Future of Arbitration*, 10 CARDOZO J. ON CONFL. RESOL. 491 (2009) (for symposium on "Whither Arbitration?")

*Buckeye Check Cashing and the Separability Doctrine*, in 1 YEARBOOK ON ARB. & MEDIATION 55 (2009)

*Franchising, Arbitration, and the Future of the Class Action*, 3 ENTREPRENEURIAL BUS. L.J. 275 (2009) (with Quentin Wittrock) (for symposium on franchising law)

## **2008**

*Is There a Flight from Arbitration?*, 37 HOFSTRA L. REV. 71 (2008) (with Quentin Wittrock)

*Disenchanted? Business Satisfaction with International Arbitration*, 2 WORLD ARB. & MED. REV. 1 (2008)

*Arbitration Costs and Forum Accessibility: Empirical Evidence*, 41 U. MICH. J.L. REF. 813 (2008) (for symposium on “Empirical Studies of Mandatory Arbitration”)

*Busting Arbitration Myths*, 56 U. KAN. L. REV. 663 (2008) (inaugural lecture as Rounds Professor)

## **2007**

*Codifying Manifest Disregard*, 8 NEV. L.J. 234 (2007) (for symposium on “Rethinking the Federal Arbitration Act”)

*Is Arbitration Lawless?*, 40 LOYOLA L.A. L. REV. 187 (2007) (for symposium on “The Private Ordering of Contractual Relations: Contracting Out of the UCC”)

*International Arbitration Law in the United States*, in INTERNATIONAL COMMERCIAL ARBITRATION: A COMPARATIVE SURVEY 63 (N. Eksi et al. eds. 2007)

*Jurisdiction of Arbitrators to Decide Their Own Jurisdiction: Compétence-Compétence in Kansas and MBNA America Bank, N.A. v. Credit, J.* KAN. BAR ASS’N, May 2007, at 18

## **2006**

*Arbitration Costs and Contingent Fee Contracts*, 59 VAND. L. REV. 729 (2006)

*New Experiences of International Arbitration in the United States*, 54 AM. J. COMP. L. 233 (Supp. 2006) (National Report of the United States for the XVIIth International Congress of Comparative Law, Utrecht, The Netherlands 2006)

*Secret Settlement Restrictions and Unintended Consequences*, 54 U. KAN. L. REV. 1457 (2006) (with Laura Hines)

*Secrecy and Transparency in Dispute Resolution*, 54 U. KAN. L. REV. ix (2006) (symposium introduction)

*Arbitration by the Numbers: The State of Empirical Research on International Commercial Arbitration*, 22 ARB. INT'L 291 (2006)

*Iran-United States Claims Tribunal Precedent and Investor-State Arbitration*, 23 J. INT'L ARB. 521 (2006) (with Chris Gibson)

## **2005**

*Contracting Out of National Law: An Empirical Look at the New Law Merchant*, 80 NOTRE DAME L. REV. 523 (2005) (invited for Federal Courts, Practice & Procedure symposium issue)

*A Comparative View of Consumer Arbitration*, 71 ARB. 131 (2005) (with Ray Friel)

*Arbitrator Selection and Regulatory Competition in International Arbitration Law*, in TOWARDS A SCIENCE OF INTERNATIONAL ARBITRATION: COLLECTED EMPIRICAL RESEARCH 167 (Drahozal & Naimark eds. 2005)

*The Making of the Award: Comments on Case Law Developments Under the UNCITRAL Model Law*, 8 INT'L ARB. L. REV. 183 (2005) (invited)

*Default Rule Theory and International Arbitration Law (with Comments on Expanded Review and Ex Parte Interim Relief)*, INT'L ARB. NEWS, Winter 2004/2005, at 2

## **2004**

*A Behavioral Analysis of Private Judging*, 67 LAW & CONTEMP. PROBS. 105 (2004) (invited for symposium on "mandatory" arbitration)

*Federal Arbitration Act Preemption*, 79 IND. L.J. 393 (2004)

*Regulatory Competition and the Location of International Arbitration Proceedings*, 24 INT'L REV. L. & ECON. 371 (2004)

*Federal Preemption Under the FAA: Revisiting Southland*, DISP. RESOL. MAG., Spring 2004, at 23 (invited)

## **2003**

*The Economics of Litigation and Arbitration: An Application to Franchise Contracts*, 32 J. LEGAL STUD. 549 (2003) (with Keith Hylton)

*Consumer Arbitration in the EU and the US*, 28 N. CAR. J. INT'L L. & COMM. REG. 357 (2003) (with Ray Friel)

*Party Autonomy & Interim Measures in International Commercial Arbitration*, in INTERNATIONAL COMMERCIAL ARBITRATION: IMPORTANT CONTEMPORARY QUESTIONS 179 (Albert Jan van den Berg ed. 2003) (ICCA Congress Series No. 11)

*Of Rabbits and Rhinoceri: A Survey of Empirical Research on International Commercial Arbitration*, 20 J. INT'L ARB. 23 (2003) (invited for special issue on empirical research on international arbitration)

*Contracting Around RUAA: Default Rules, Mandatory Rules, and Judicial Review of Arbitral Awards*, 3 PEPPERDINE DISP. RESOL. L.J. 419 (2003) (invited for symposium on the Revised Uniform Arbitration Act)

## **2002**

*In Defense of Southland: Reexamining the Legislative History of the Federal Arbitration Act*, 78 NOTRE DAME L. REV. 101 (2002)

*Nonmutual Agreements to Arbitrate*, 27 J. CORP. L. 537 (2002) (invited for symposium on contract law in honor of late Iowa law professor David Vernon)

*Arbitration Clauses in Franchise Agreements: Common (and Uncommon) Terms*, 22 FRANCH. L.J. 81 (2002) (invited for symposium on franchise arbitration)

*Remembering Justice Byron R. White*, 50 U. KAN. L. REV. 1075, 1083 (2002) (co-authored)

## **2001**

*"Unfair" Arbitration Clauses*, 2001 U. ILL. L. REV. 695

*Standards for Court Review of Arbitral Awards in the United States: Mandatory Rules or Default Rules?*, MEALEY'S INT'L ARB. REP., Sept. 2001, at 27

*Commercial Arbitration and the New York Convention as Applied in the United States*, in CEZA HUKUKU REFORMU 777 (Umut Vakfi 2001) (published in Turkey)

## **2000**

*Commercial Norms, Commercial Codes, and International Commercial Arbitration*, 33 VAND. J. TRANSNAT'L L. 79 (2000), *reprinted in* ECONOMICS OF COMMERCIAL ARBITRATION AND DISPUTE RESOLUTION (Orley C. Ashenfelter & Radha K. Iyengar, eds. 2009)

*Enforcing Vacated International Arbitration Awards: An Economic Approach*, 11 AM. REV. INT'L ARB. 451 (2000)



*Privatizing Civil Justice: Commercial Arbitration and the Civil Justice System*,  
9 KAN. J.L. & PUB. POL'Y 578 (2000)

### **1999**

*Preserving the American Common Market: State and Local Governments in the United States Supreme Court*, 7 SUP. CT. ECON. REV. 233 (1999)

*Electronic Commerce in Kansas: Contract Formation and Formalities Under Article 2*,  
J. KAN. BAR ASS'N, May 1999, at 22

### **1998**

*Judicial Incentives and the Appeals Process*, 51 SMU L. REV. 469 (1998), reprinted in  
THE ECONOMICS OF JUDICIAL BEHAVIOR (Lee Epstein ed. 2013)

*The "Arrogance of Certainty": Trust, Confidentiality, and the Supreme Court*,  
47 U. KAN. L. REV. 121 (1998) (book review)

### **1996**

*On Tariffs v. Subsidies in Interstate Trade: A Legal and Economic Analysis*,  
74 WASH. U. L.Q. 1127 (1996)

Kansas Comments to Articles 1, 2, and 2A of the Uniform Commercial Code,  
7 KAN. STAT. ANN. (1996) (Article 1 co-authored)

### **Pre-1996**

*Judicial Precedent as an Exception to Chevron: A Reprise to Dyk and Schenck*, 18  
ADMIN. L. NEWS 4 (Spring 1993)

*The Impact of Free Agency on the Distribution of Playing Talent in Major League Baseball*, 38 J. ECON. & BUS. 113 (1986)

### **Unpublished Materials**

Annual Update to COMMERCIAL ARBITRATION: CASES AND PROBLEMS, available at  
[www.lexisnexis.com/lawschool/](http://www.lexisnexis.com/lawschool/)

National Report for the United States on "The Need for Provisional Remedies in Transnational Litigation" (Feb. 6, 1995), for the Congress of the International Association of Procedural Law, Taormina, Italy, September 17-23, 1995

## **Works in Progress**

FEDERAL AND STATE ARBITRATION LAW (to be published by Oxford University Press)

*International Arbitration and Local Legal Institutions* (with Catherine Rogers) (for book on Empirical Perspectives on the Legitimacy of International Investment Tribunals)

*Dispute Resolution Clauses in International Supply Contracts* (with John Coyle)

*Frozen? Arbitration and Legal Change*

*Enforcing International Arbitration Awards in the U.S.: An Empirical Study* (with Jack Coe, Trey Childress, and Catherine Rogers)

## **Selected Presentations & Conferences**

Midwestern Law and Economics Conference, University of Alabama, Tuscaloosa, Alabama (presentation) (to be held September 15, 2018)

Lights and Shadows of Arbitration: 10 Years of the Arbitration Act, Lima Chamber of Commerce, Lima, Peru (co-presenter) (August 7, 2018)

University of Missouri School of Law, Columbia, Missouri (workshop) (March 8, 2018)

Midwestern Law and Economics Conference, Marquette University School of Law, Milwaukee, Wisconsin (presentation) (October 20, 2017)

Conference on the Dark Side of Arbitration: Solutions, Universidad del Pacifico, Lima, Peru (co-presenter) (June 21, 2017)

AAA/ICDR Council Annual Meeting, Columbia Law School, New York, New York (presentation) (May 24, 2017)

Conference on Contractual Black Holes, Duke Law School, Durham, NC (presentation) (April 7, 2017)

Columbia Law School, New York, New York (presentation) (September 15, 2016)

Midwestern Law and Economics Conference, Emory University, Atlanta, Georgia (presentation) (September 9, 2016)

69th Annual Conference on Labor, New York University School of Law, New York, New York (presentation) (June 2, 2016)

Beyond Elite Law: Access to Civil Justice in America, New York University School of Law, New York, New York (panelist) (April 29, 2016)

First Annual Symposium, Judge Judith O. Hollinger Program in Alternative Dispute Resolution, USC Gould School of Law, Los Angeles, California (presentation) (April 15, 2016)

Inaugural Hendrix Lecture on International Commercial Arbitration, Emory Law School, Atlanta, Georgia (presentation) (March 24, 2016)

Symposium on the Politics of Arbitration, Penn State School of Law, State College, Pennsylvania (moderator) (January 29, 2016)

35<sup>th</sup> Annual Meeting of the ICC Institute of World Business Law on Class & Group Actions in Arbitration, Paris, France (presentation) (November 30, 2015)

University of Iowa College of Law, Iowa City, Iowa (workshop) (November 16, 2015)

Seminar on Group Claims in Arbitration, Queen Mary University of London, London, UK (presentation) (November 2, 2015)

“Empirical Perspectives on Investment Treaty Arbitration,” PluriCourts, University of Oslo, Oslo, Norway (presentation) (Aug. 27-28, 2015)

30th Anniversary Conference of the School of International Arbitration, “The Evolution and Future of International Arbitration: The Next 30 Years,” Queen Mary University of London, London, UK (presentation) (April 21, 2015)

Symposium on “International Arbitration and the Courts,” Pepperdine Law School, Malibu, California (presentation) (April 17, 2015)

Palestine International Arbitration Conference, Ramallah, West Bank, Palestine (presentation) (February 27, 2015)

“Arbitration and Class Actions,” Stanford Law School, Palo Alto, CA (presentation) (February 23, 2015)

Symposium on “What's Left of the Law in the Wake of ADR?,” Penn State School of Law, State College, Pennsylvania (presentation) (February 6, 2015)

Symposium on “Does Disclosure Have a Future?” University of Virginia Law School, Charlottesville, Virginia (presentation) (October 23, 2014)

Midwestern Law and Economics Conference, Indiana University School of Law – Indianapolis, Indianapolis, Indiana (presentation) (October 10, 2014)

Symposium on “Franchise Law: Reflections on the Amended FTC Rule Seven Years Later,” Stanford Law School, Palo Alto, California (presentation) (May 9, 2014)

Symposium on “Forced Arbitration in the Workplace,” University of California, Berkeley School of Law, Berkeley, California (presentation) (February 27, 2014)

Symposium on “Steps Toward Evidence-Based IP,” University of Texas School of Law, Austin, Texas (co-presenter) (January 25, 2014)

Palestine International Arbitration Conference, Ramallah, West Bank, Palestine (presentation) (December 9, 2013)

Midwestern Law and Economics Conference, University of Illinois, Champaign-Urbana, Illinois (presentation) (October 12, 2013)

Conference on “Courts and International Commercial Arbitration: Is the United States Becoming an Outlier?” George Washington University Law School, Washington, D.C. (presentation) (September 26, 2013)

“Global Challenges — Global Law: A Symposium on the Future of International Law and Global Governance,” Swansea University School of Law, Swansea, Wales, UK (presentation) (June 7, 2013)

Fordham Conference on International Arbitration and Mediation, Fordham University Law School, New York, New York (presentation) (April 12, 2013)

Schwartz Lecture on Dispute Resolution, Moritz College of Law, Ohio State University, Columbus, Ohio (presentation) (March 28, 2013)

AALS Works-in-Progress Conference, Moritz College of Law, Ohio State University, Columbus, Ohio (presentation) (November 10, 2012)

“Great Conversations: The Role of Arbitration in Consumer Lending,” University of Maryland, Francis King Carey School of Law, Baltimore, Maryland (panelist) (November 7, 2012)

Midwestern Law and Economics Conference, Washington University, St. Louis, Missouri (presentation) (October 13, 2012)

Conference on “Collective Redress in the Cross-Border Context,” Hague Institute for the Internationalisation of Law and Netherlands Institute for Advanced Studies in the Humanities and Social Sciences, The Hague, The Netherlands (presentation) (June 22, 2012)

“The New Restatement on the U.S. Law of International Commercial Arbitration,”  
International Dispute Resolution Centre, London, UK (presentation) (June 18, 2012)

Inaugural Conference of the Atlanta International Arbitration Society, Atlanta, Georgia  
(presentation) (April 16, 2012)

Conference on “Economic Analysis of International Law,” Travemünde Symposium on  
Law & Economics, Travemünde, Germany (presentation) (March 30, 2012)

Seminar on “Competition Between Civil Justice Systems: The Market for Dispute  
Resolution Systems,” Erasmus School of Law, Rotterdam, The Netherlands  
(presentation) (March 29, 2012)

Wm. Matthew Byrne, Jr. Annual Lecture, “The Intersection of Arbitration and  
Justiciability,” Pepperdine University School of Law, Malibu, CA (panelist) (March 16,  
2012)

Symposium on “American Arbitration Law after *AT&T Mobility*,” Penn State University  
School of Law, State College, PA (presentation) (February 22, 2012)

Vanderbilt Law School, Nashville, TN (workshop) (February 17, 2012)

National Roundtable on Consumer and Employment Dispute Resolution, Pepperdine  
University School of Law, Malibu, CA (participant) (February 2-4, 2012)

“Teach-in” on International Arbitration, Ramallah, West Bank, Palestine (presentation)  
(December 8, 2011)

Sixth Annual Robert I. Weil Lecture, “Balancing Finality and Fairness in Arbitration: A  
State-Federal Contrast,” Los Angeles, CA (panelist) (November 7, 2011)

AALS Works-in-Progress Conference, Creighton University School of Law, Omaha, NE  
(presentation) (November 4, 2011)

Conference on “Border Skirmishes: The Intersection Between Litigation and  
International Commercial Arbitration,” University of Missouri School of Law, Columbia,  
MO (presentation) (October 21, 2011)

Midwestern Law and Economics Conference, Indiana University School of Law –  
Bloomington, Bloomington, Indiana (presenter and moderator) (September 16-17, 2011)

Conference on “Teaching Law School ADR Classes,” Pepperdine University School of  
Law, Malibu, CA (moderator and panelist) (June 22, 2011)

Conference on “Arbitration – The Next 50 Years,” 50<sup>th</sup> Anniversary of the International Council for Commercial Arbitration (ICCA), Geneva, Switzerland (presentation) (May 20, 2011)

Conference on the “Future of Arbitration,” George Washington University, Washington, D.C. (presentation) (March 18, 2011)

Loyola New Orleans College of Law, New Orleans, Louisiana (workshop) (March 3, 2011)

Osler, Hoskin & Harcourt LLP Distinguished Lecture in Business Law, Queen’s University, Kingston, Ontario, Canada (presentation) (February 11, 2011)

Columbia Law School, New York, New York (workshop) (February 7, 2011)

Midwestern Law & Economics Conference, University of Colorado School of Law, Boulder, Colorado (presentation) (October 8, 2010)

Roundtable on “Usages in Theory and in Practice,” McGill University School of Law, Montreal, Canada (presentation) (March 5, 2010)

Spring Conference on Contracts, William S. Boyd School of Law, University of Nevada, Las Vegas (presentation) (February 26, 2010)

Notre Dame Law School, South Bend, Indiana (workshop) (November 13, 2009)

Midwestern Law & Economics Conference, Notre Dame Law School, South Bend, Indiana (presentation) (October 10, 2009)

Federal Trade Commission, Protecting Consumers in Debt Collection Litigation and Arbitration: A Roundtable Discussion, Chicago Illinois (invited participant and presenter) (August 6, 2009)

National Foundation for Judicial Excellence, Annual Judicial Symposium, Chicago, Illinois (presentation) (July 10, 2009)

St. Louis University School of Law, St. Louis, Missouri (workshop) (February 11, 2009)

Symposium on “Whither Arbitration?,” Cardozo Law School, New York, New York (presentation) (November 6, 2008)

Research Symposium on “Empirical Studies of Civil Liability,” Northwestern University School of Law, Chicago, Illinois (presentation) (October 9, 2008)

Midwestern Law & Economics Conference, Northwestern University School of Law, Chicago, Illinois (presentation) (October 4, 2008)

Conference on Empirical Legal Studies, Cornell Law School, Ithaca, New York (presentation) (Sept. 12, 2008)

Tenth Annual Conference of the ABA Dispute Resolution Section, Seattle, Washington (panel organizer, moderator, and presenter) (April 4, 2008)

Symposium on Franchising Law, Moritz College of Law, Ohio State University, Columbus, Ohio (presentation) (March 7, 2008)

Quinnipiac-Yale Workshop on Dispute Resolution (workshop) (February 29, 2008)

Roundtable Workshop on Regulation and Arbitration, Vanderbilt Law School, Nashville Tennessee (invited participant) (February 8, 2008)

Panel on “How Bad Are Mandatory Arbitration Terms?,” Association of American Law Schools Annual Meeting, New York, New York (presentation) (January 4, 2008)

Midwestern Law & Economics Conference, University of Minnesota Law School, Minneapolis, Minnesota (presentation) (October 13, 2007)

24th Annual Conference of the European Association of Law & Economics, Copenhagen, Denmark (presenter, discussant, and panel chair) (September 13-15, 2007)

Inaugural Lecture as John M. Rounds Professor of Law, University of Kansas School of Law, Lawrence, KS (April 30, 2007)

Conference on “Rethinking the Federal Arbitration Act,” Saltman Center for Conflict Resolution, University of Nevada-Las Vegas Boyd School of Law, Las Vegas, Nevada (presentation) (January 26, 2007)

International Bar Association Conference, Chicago, Illinois (September 19, 2006) (presentation)

Conference on “Transatlantic Perspectives on ADR,” Chartered Institute of Arbitrators & St. John’s University, London, UK (presentation) (July 28, 2006)

Villanova Law School, Philadelphia, Pennsylvania (workshop) (April 21, 2006)

Conference on “The Iran-U.S. Claims Tribunal at 25: The Cases Everyone Needs to Know for Investor-State & International Arbitration,” Washington, D.C. (presenter & organizer) (March 29, 2006)

Conference on “The Algiers Accords and the Iran-United States Claims Tribunal 25 Years On,” University of California-Berkeley, Berkeley, California (moderator) (January 13, 2006)

Symposium on “Secrecy and Transparency in Dispute Resolution,” University of Kansas School of Law, Lawrence, Kansas (presentation) (November 3, 2005)

Midwestern Law & Economics Conference, Northwestern University School of Law, Chicago, Illinois (presentation) (October 14, 2005)

Panel on “Full Court Press: The Battle for the Supreme Court,” Dole Institute of Politics, University of Kansas, Lawrence, Kansas (moderator) (September 15, 2005)

Advanced Judicial Academy, Illinois Judicial Conference, University of Illinois College of Law, Champaign, IL (presentation) (June 9, 2005)

Global Dispute Resolution Research Conference, Global Center for Dispute Resolution Research, New York, New York (presentation) (May 25, 2005)

Ninth Annual Alabama Conference on Dispute Resolution, Jones School of Law, Montgomery, Alabama (presentation) (May 20, 2005)

20th Anniversary Conference of the School of International Arbitration, “Contemporary Problems in International Arbitration,” Queen Mary University of London, London, UK (presentation) (April 12, 2005)

Conference on the “Draft Digest on the UNCITRAL Model Law on International Arbitration,” Law Centre for European and International Cooperation (R.I.Z.), University of Cologne, Germany (presentation) (March 4, 2005)

George Mason University School of Law, Arlington, Virginia (workshop) (March 1, 2005)

University of Missouri-Columbia College of Law, Columbia, Missouri (workshop) (February 24, 2005)

Syracuse University College of Law, Syracuse, New York (workshop) (February 4, 2005)

Midwestern Law & Economics Conference, University of Iowa College of Law, Iowa City, Iowa (presentation) (October 9, 2004)

21st Annual Conference of the European Association of Law & Economics, Zagreb, Croatia (presentation) (September 24, 2004)



Global Dispute Resolution Research Conference, “Implications for the Future of International Commercial Arbitration,” Peace Palace, The Hague, The Netherlands (presentation) (April 22, 2004)

University of San Diego School of Law, San Diego, CA (workshop) (March 26, 2004)

Association of American Law Schools Annual Meeting, Atlanta, Georgia (presentation) (January 3, 2004)

Midwestern Law and Economics Conference, Indiana University School of Law – Indianapolis, Indianapolis, Indiana (presentation) (October 11, 2003)

University of Cincinnati School of Law, Cincinnati, OH (workshop) (February 21, 2003)

University of Iowa College of Law, Iowa City, IA (workshop) (November 14, 2002)

Midwestern Law and Economics Conference, University of Illinois College of Law, Champaign, IL (presentation) (October 11, 2002)

Symposium on “The Coming Crisis in Mandatory Arbitration: New Perspectives and Possibilities,” Duke University School of Law, Durham, NC (presentation) (October 4, 2002)

Annual Meeting of the Canadian Law & Economics Association, Toronto, Canada (presentation) (September 27, 2002)

University of Limerick School of Law, Limerick, Ireland (workshop) (May 10, 2002)

Fourth Annual Conference of the ABA Dispute Resolution Section, Seattle, Washington (panel organizer, moderator, and presenter) (April 5, 2002)

University of Missouri-Columbia School of Law, Columbia, Missouri (workshop) (March 5, 2002)

Research Development Symposium on International Commercial Arbitration, Global Center for Dispute Resolution Research, Barcelona, Spain (invited participant) (February 21-24, 2002)

Inaugural Midwestern Law and Economics Conference, Indiana University School of Law – Bloomington, Bloomington, Indiana (co-presenter) (October 12, 2001)

University of Aberdeen School of Law, Aberdeen (workshop) (May 25, 2001)

Annual Meeting of the American Law & Economics Association, Washington, D.C. (co-presenter) (May 12, 2001)

School of International Arbitration, Queen Mary & Westfield College, University of London, London, UK (presentation) (April 23, 2001)

University of Limerick School of Law, Limerick, Ireland (workshop) (March 21, 2001)

Conference on Building Trust in the Online Environment: Business to Consumer Dispute Resolution, co-sponsored by the OECD, the Hague Conference on Private International Law, and the ICC, The Hague, The Netherlands (presentation) (December 9, 2000)

University of Colorado School of Law, Boulder, CO (workshop) (October 16, 2000)

Joint Meeting of the American Bar Association Task Force on Consumer Arbitration and the Arbitration Committee of the Dispute Resolution Section, ABA Annual Meeting, New York, NY (presentation) (July 8, 2000)

Economics Institute for State Judges, Law & Organizational Economics Center, University of Kansas, Sanibel Island, FL (discussion leader for Case Analysis Seminars) (December 12 & 13, 1999)

Civil Justice Issues for the Next Decade, Second Annual Policy Analysis Conference, Law & Organizational Economics Center, University of Kansas, Lawrence, KS (presentation) (September 18, 1999)

Economics Institute for State Judges, Law & Organizational Economics Center, University of Kansas, Sanibel Island, FL (discussion leader for Case Analysis Seminars) (December 11 & 12, 1998)

15th Annual Conference of the European Association of Law & Economics, Utrecht, The Netherlands (presentation) (September 25, 1998)

Conference on Law Reform Issues in the USA and Turkey, Istanbul, Turkey (presentation) (May 29, 1998)

Conference on "Free Contracting in Conflict of Laws," Law & Economics Center of George Mason University, Alexandria, VA (invited participant) (November 21-23, 1997)

Ninth Annual John M. Olin Conference in Law and Economics of the Canadian Law and Economics Association, Toronto, Canada (presentation) (September 28, 1997)

Annual Meeting of the National Association of State Tax Bar Sections, San Francisco, CA (presentation) (October 28, 1994)

## **Legislative Testimony**

Consumer Arbitration: Re-examining California's Landmark Data Reporting Law, Hearing Before the Judiciary Committee of the California State Assembly, Sacramento, CA (March 18, 2013)

Arbitration: Is It Fair When Forced?, Hearing Before the Senate Judiciary Committee, U.S. Senate, Washington, D.C. (October 13, 2011)

Arbitration or 'Arbitrary': The Misuse of Mandatory Arbitration to Collect Consumer Debts, Hearing Before the Subcommittee on Domestic Policy, House Committee on Oversight and Government Reform, U.S. House of Representatives, Washington, D.C. (July 22, 2009)

Federal Arbitration Act: Is the Credit Card Industry Using It to Quash Legal Claims?, Hearing Before the Subcommittee on Commercial and Administrative Law, House Judiciary Committee, U.S. House of Representatives, Washington, D.C. (May 5, 2009)

Protecting Main Street Jobs from Lawsuit Abuse, Hearing Before the Senate Republican Conference, U.S. Senate, Washington, D.C. (March 16, 2009)

Judiciary Committee, Kansas Senate, Topeka, Kansas (January 16, 2002)

## **Education**

J.D. with highest distinction, University of Iowa College of Law, Iowa City, IA, 1986  
B.A., Economics, summa cum laude, Washington University, St. Louis, MO, 1983

## **Honors and Memberships**

American Law Institute  
American Law & Economics Association  
European Association of Law & Economics  
Midwestern Law & Economics Association  
2016 Exemplary Mentor, Association of American Law Schools, Section on Business Associations  
2009 Legal Reform Research Award, U.S. Chamber of Commerce Institute for Legal Reform (awarded to the Searle Civil Justice Institute for the work of the Consumer Arbitration Task Force)  
2004 Immel Award for Teaching Excellence  
Admitted to practice District of Columbia  
Order of the Coif  
Faculty awards for academic achievement and legal scholarship, University of Iowa College of Law, 1986  
Articles Editor, Iowa Law Review, vol. 71

Phi Beta Kappa

Olin Prize (top graduating economics major), Washington University, 1983

## **Professional Service**

Academic Contributor, BLACK'S LAW DICTIONARY (10<sup>th</sup> edition 2014)

National Task Force on Issues Related to the Arbitration of Consumer Debt Disputes  
(2009-2010)

ABA Consumer Arbitration Study Group (2010)

Academic Council, Institute for Transnational Arbitration (2005-2013, 2015-present)

Editorial Board, *World Arbitration and Mediation Review* (2008-2016); Editor for  
American Law (2007-2008); Editor for American Arbitration Law, *World  
Arbitration and Mediation Report* (2005-2007)

Advisory Board, Institute for Arbitration Law and Practice, Penn State Dickinson School  
of Law (2005-2012)

Advisory Committee, International Law Institute's Alternative Dispute Resolution Center  
(2005-2010)

Associate Editor, *Transnational Dispute Management* (2004-2010)

Reviewer: The Leverhulme Trust, Oxford University Press, Cambridge University Press,  
Aspen Publishers, Journal of Legal Studies, Journal of Empirical Legal Studies,  
International Review of Law & Economics, Harvard Law Review, Stanford Law  
Review, American Journal of Comparative Law, Business & Politics, Journal of  
International Dispute Settlement, Melbourne Journal of International Law,  
International Journal of Peace & Development Studies, Law & Social Inquiry,  
Journal of Consumer Policy; ILR Review

ABA Business Law Section, Ad Hoc Committee on Consumer Arbitration (2000-2007)

ABA Dispute Resolution Section, Liaison with NCCUSL on enactment of Revised  
Uniform Arbitration Act in Kansas (2001-2003)

Conferences Organized:

Midwestern Law & Economics Conference (October 2-3, 2015)

Institute for Transnational Arbitration-American Society of International Law  
Spring Conference (April 9, 2014) (with Stacie Strong)

Midwestern Law & Economics Conference (October 20 & 21, 2006)

Institute for Transnational Arbitration Spring Conference (March 29, 2006) (with  
Chris Gibson)

Kansas Law Review Symposium on Secrecy and Transparency in Dispute  
Resolution (November 3, 2005)

## **University & Law School Service**

University Committee on Distinguished Professorships (2011-2014; chair 2013-2014)

University Committee on Promotion and Tenure (2005-2008)

University Student Housing Advisory Board (1996-1999; chair 1997-1999)

Law School Post-Tenure Review Committee (2013-2014)

Law School Faculty Workshops and Lectureships Committee (chair 2006-2008, 2009-2016)  
Law School Distinguished Professors Committee (2006-present)  
Faculty Advisor to Law Review (1999-2000, 2002-2008, 2009-2016, 2017-present)  
Law School Dean Search Committee (1998-1999, chair 2010-2011)  
Law School Faculty Appointments Committee (1999-2000, chair 2000-2001, 2002-2004, 2006-2008, co-chair 2009-2010 & 2011-2012, 2016-2018)  
Law School Ad Hoc Committee on Promotion & Tenure Standards & Procedures (2008)  
Law School Academic Committee (1995-1999, chair 2004-2006)  
Law School Self-Study Committee (2004-2006)  
Law School Dean Review Committee (2004)  
Law School Ad Hoc Committee on International Summer Programs (2002-2003)  
Law School Ad Hoc Committee on Instructional Technology (1998-2000)  
Co-Organizer, Law School Movie Nights (2000)  
Law School Admissions Committee (1999-2000)  
Law School Clerkship Placement Committee (1995-1997)  
Law School Ad Hoc Committee on Lawyering Program (1998-1999)  
Co-Director, Legal Research & Writing Program (1995-1999)